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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,745	03/04/2004	Catherine Lamy	4590-277	5259

7590 12/22/2006  
LOWE HAUPTMAN GILMAN & BERNER, LLP  
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EXAMINER
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BAKER, STEPHEN M

ART UNIT	PAPER NUMBER
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2133

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/22/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

**Application No.**

10/791,745

**Applicant(s)**

LAMY ET AL.

**Examiner**

Stephen M. Baker

**Art Unit**

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2, 8, 11 and 18 is/are allowed.
- 6) ☒ Claim(s) 3 and 12 is/are rejected.
- 7) ☒ Claim(s) 1, 4-7, 9, 10 and 13-17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 140604.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claims 1, 4-7, 9, 10 and 13-17 are objected to because of the following informalities:

The claims objected to are apparently not in idiomatic English and apparently should be amended as suggested below:

1. A method of protecting information transmitted in a data transmission system, the information transmitted ~~exchange~~ being pieces of data having a format comprising of one or more headers and a data zone, wherein said method comprises the step of:  
inserting into at least one header, ~~of at least one EPB marker segment compatible with a format of the data exchanged;~~ and comprising redundancy data to detect and/or correct errors.
4. The method according to claim 1, wherein the EPB marker segment includes a part designed to protect the header by using a default code and another part corresponding to the an error correction code specified in the a parameter of the EPB.
5. The method according to claim 1, ~~comprising wherein~~ several segments EPBi ~~positioned or not positioned one after the other and protecting~~ protect the data positioned after the header or headers.
6. The method according to claim 1, wherein the data transmitted have different levels of sensitivity to error, and the header ~~comprising~~ comprises several segments EPBi, one segment EPBi comprising an error correction code that is chosen substantially as a function of ~~these~~ the levels of sensitivity.
7. The method according to claim 1, wherein the data transmitted have different levels of sensitivity to errors, and the header ~~comprising~~ comprises several segments EPBi, the an error correction code within being the same for all the data transmitted.

9. A system of data transmission, ~~the~~ using a data transmission format comprising at least one header and payload data, wherein said system comprises:

at least one transmitter adapted to insert, into at least one header, ~~of~~ at least one EPB marker segment compatible with a format of the data transmitted and comprising redundancy data to detect and/or correct errors.

10. The method of claim 3, wherein the EPB marker segment includes a part designed to protect the header by using a default code and another part corresponding to ~~the~~ an error correction code specified in ~~the~~ a parameter of the EPB.

13. The system of claim 9, wherein the EPB marker segment includes a part designed to protect the header by using a default code and another part corresponding to ~~the~~ an error correction code specified in ~~the~~ a parameter of the EPB.

14. The system of claim 12, wherein the EPB marker segment includes a part designed to protect the header by using a default code and another part corresponding to ~~the~~ an error correction code specified in ~~the~~ a parameter of the EPB.

15. The system of claim 9, ~~comprising wherein~~ wherein several segments EPBi ~~positioned or not positioned one after the other and protecting~~ protect the data positioned after the header or headers.

16. The method according to claim 9, wherein the data transmitted have different levels of sensitivity to error, and the header ~~comprising~~ comprises several segments EPBi, one segment EPBi comprising an error correction code that is chosen substantially as a function of ~~these~~ the levels of sensitivity.

17. The method according to claim 9, wherein the data transmitted have different levels of sensitivity to errors, and the header ~~comprising~~ comprises several segments EPBi, ~~the~~ an error correction code within being the same for all the data transmitted.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3 and 12 are redundant with claims 2 and 11.

***Allowable Subject Matter***

4. Claims 1, 2, 4-11 and 13-18 are allowed.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Baker whose telephone number is (571) 272-3814. The examiner can normally be reached on Monday-Friday (11:00 AM - 7:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Stephen M. Baker  
Primary Examiner  
Art Unit 2133

smb